

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

DEC 22 2005

JOHN F. CORCORAN, CLERK
BY: *J. Craft*
DEPUTY CLERK

ANTHONY JOSEPH TURNER,)
WILLIAM BEMBO,)
Plaintiff,)

Civil Action No. 7:05-cv-00762

v.)

ORDER

R. D. BARLOW, et. al.,)
Defendants.)

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that Plaintiff Turner's request to proceed in forma pauperis is **DENIED**; the action is **DISMISSED** without prejudice, pursuant to 28 U.S.C. §1915(g) **only** as to claims raised by Turner; the clerk shall terminate Turner as a party to the case; and **the action will go forward as to Plaintiff Bembo's claims, provided that he complies with conditions set forth by separate order.**

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiffs and to counsel of record for the defendants.

ENTER: This 22nd day of December, 2005.

James C. Turk

Senior United States District Judge